

THE HON'BLE Ms. JUSTICE G. ROHINI

WRIT PETITION NO.28325 OF 1996

DATED: 06-02-2007

Between :

1. Pratipati Narayana and 9 others. ...
Petitioners

And

1. The District Collector, Eluru, W.G.
District., and another.
Respondents

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THE HON'BLE Ms. JUSTICE G. ROHINI

WRIT PETITION NO.28325 OF 1996

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ORDER :

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This writ petition is filed seeking a declaration that the alleged action of the respondents in seeking to dispossess the petitioners from the lands situated in R.S.No.17/1 of P. Rajavaram Village, Jeelugumilli Mandal, West Godavari District as arbitrary and illegal.

In the affidavit filed in support of the writ petition, it is pleaded that the petitioners are the persons living below the poverty line who have occupied small extents of land situated in R.S.No.17/1 of Allacherla Village, Jeelugumilli Mandal, West Godavari District. They have been in possession of the said land for the past several years, raising various crops which is only source of their livelihood. As a matter of fact, pursuant to the representations made by the petitioners, there was also a proposal by the concerned officials to assign the land in question to the respective occupiers. It appears that the concerned Mandal Revenue Officer has also submitted a detailed factual report and the further steps are under progress. In the meanwhile at the instance of certain anti-social elements local revenue officials started interfering with the possession of the petitioners. Apprehending dispossession high-handedly, the petitioners filed this writ petition with the above prayer.

While directing Rule Nisi, this Court by order dated 31-12-1996 granted interim directions to the respondents not to dispossess the petitioners from the land in question.

Though Rule Nisi was ordered on 31-12-1996, no counter-affidavit has been filed by any of the respondents and the interim order continued to be in force throughout.

Having regard to the facts and circumstances of the case and in the absence of any counter disputing the specific plea of the petitioners that they are in possession of the land in question, I deem it appropriate to dispose of the Writ Petition with a direction to the respondents not to interfere with the possession of the petitioners in respect of the land in question without following due process of law. No costs.

G. ROHINI, J.

Dt. 6-2-2007
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